

Garden City Field Office 2508 Johns Street Garden City, Kansas 67846-2804

Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Michael A. Meyer, Water Commissioner

www.agriculture.ks.gov Sam Brownback, Governor

Phone: (620) 276-2901

Fax: (620) 276-9315

October 12, 2016

SYRACUSE DAIRY LLC 751 SE CR 36 SYRACUSE KS 67878-7822

RE: Change in Point of Diversion Water Right, File No 20951

Dear Mr. Houtsma:

Enclosed you will find a Summary Order Approving Application for Change in Point of Diversion for the above referenced file. This order modifies the authorized well location under the referenced file. This order modifies the original document; it should be recorded at the County Register of Deeds.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this order. The diversion works should be completed and reported to the Division of Water Resources by December 31, 2017. Enclosed is a form for this purpose, along with other information for reference.

A condition of this order is that an acceptable flow meter must be properly installed on the diversion works authorized under the referenced file number in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12. This water flow meter shall be used to provide information required on the annual water use report.

This order shall become final if a request for a hearing is not filed with the Chief Engineer within 15 days of the date of service of this order. The date of service is the date listed on the enclosed Certificate of Service.

Should you have any questions, please feel free to call this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely.

Thomas P. Makens

Assistant Water Commissioner

TPM:tpm **Enclosures** GMD#3

#### CERTIFICATE OF SERVICE

On this day of October 2016, I hereby certify that the attached original Approval of Application to Change the Point of Diversion under Water Right, File No. 20951 dated October 12, 2016 was mailed postage prepaid, first class, US mail to the following:

SYRACUSE DAIRY LLC 751 SE CR 36 SYRACUSE KS 67878-7822

Copy provided to GMD#3

Division of Water Resources

Submit completed application to: Kansas Department of Agriculture Division of Water Resources Field Office for your area. Call for address:

Topeka -- (785) 296-5733 Stafford -- (620) 234-5311 Stockton -- (785) 425-6787 Garden City -- (620) 276-2901 http://agriculture.ks.gov/dwr

# DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



#### STATE OF KANSAS

Filling Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended. Fee Schedule is on the third page of this application form.

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use.

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2. Na	Name and address of Applicant: SYRACUSE DAIRY LLC																		
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		umber:																	
		nd addr				•		t: <u>SY</u> I	RACU	SE DA	IRY LI	_C							
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Ov	. If this application is for a change in place of use, it is proposed that the place of use be changed to:  Owner of Land NAME: no change to acres  ADDRESS:  (If there is more than one landowner, attach supplemental sheets as necessary.)																		
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Fo	For Office Use Only: Code Fee \$ 200 TR # Receipt Date 9/22/16 Check # 55281																		
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5.	Presently authorized point of diversion:				,					
	One in the Quarter of the	nc	Quarter of the _	se	Quarter					
1	of Section 5 . Township	27	South, Range	36	W,					
	in Grant County, Kansas, 1255	feet Nor	th <u>1320</u> feet West o	of Southeast corner	of section.					
	Authorized Rate Authorized Quantity		Depth of well	(feet)	)					
	(DWR use only: Computer ID No. 3 GPS		feet North	feet Wes	it)					
	This point will not be changed 🛛 This point will be changed as follows:									
	Proposed point of diversion: (Complete only if change				_					
	One in the Quarter of the	ne	Quarter of the _	se	Quarter					
	of Section, Township	27	South, Range _	36	W,					
	in Grant County, Kansas, 2571	feet Nor	th <u>243</u> feet West o	of Southeast corner	ot section.					
	Proposed Rate Proposed Quantity									
Ĺ	This point is: ☐ Additional Well ☐ Geo Center List oth	er water	rights that will use this poi	Int	•					
٦ ړ	Presently authorized point of diversion:									
6.	One in the Quarter of the		Quarter of the		Quarter					
	of Section . Township		South, Range		(E/W),					
	in County, Kansas,	feet Nor	th feet West of	of Southeast corner	of section.					
	Authorized Rate Authorized Quantity		Depth of well _	(feet	)					
	(DWR use only: Computer ID No GPS		feet North	feet Wes	st)					
	☐ This point will not be changed ☐ This point will be	e chang	ged as follows:	<del>_</del>						
	Proposed point of diversion: (Complete only if change	is requ	ested)							
	One in the Quarter of the		Quarter of the _		Quarter					
	of Section, Township		South, Range _		(E/W),					
	in County, Kansas,	feet Nor	th feet West o	of Southeast corner	of section.					
	Proposed Rate Proposed Quantity		Proposed well dep	th (feet)						
	This point is: Additional Well Geo Center List oth	er water	rights that will use this poi	int	<u> </u>					
_		120	If the proposed point of div	rereion will be relocat	led within 100					
7.	Why do you need a new point of diversion?		feet of the existing point of	f diversion, indicate i	ts location on					
	old well needs to be replaced.		the diagram below in relation (PLEASE NOTE: The "	on to the existing poin	nt of diversion.					
			represents presently auth	orized point of dive	rsion.)					
				Vorth						
8.	If a well, is the test hole log attached?   Yes   No		10 <u>0</u> 50		0					
				'						
9.	When do you propose to complete the new point of	ř	-	_						
	diversion?		50 - +	_ + _	50					
	<u>Late 2016</u>		<del></del>	= =						
10.	If the point of diversion is a well:			.;;,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	O E					
. ••	(a) What are you going to do with the old well?		West 0 -	'스' ' ' ' ' ' ' ' ' ' ' ' ' ' '	u East					
	(a) Titlat are you going to do mat the old won.		<u> </u>	= =						
	plug		50 - +	_ + _	50					
				_ '	•					
	(b) When will this be done? 2016		<u> </u>	<u>.</u> ∃						
					_					
11.	Groundwater Management District recommendation	1	100 50 <sub>5</sub>	_0 _ 50 _ 10 South	U					
	attached?		Scale	er 1" = 100'						
12	Assisted by tpm	13b.	If the proposed point of div	version will be relocated to the series	ted more than					
	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		100 feet but within 1320 diversion, attach a topogr	raphic map or aeria	bung point of I photograph.					
			diversion, attach a topogr For groundwater sources, s	show all wells (include	ling domestic)					
			within one-half mile of the p names and mailing address	sses of the owners.	For surface					
			water sources, show the landowner(s) one-half mile	e names and addre	esses of the					
			upstream from your propert	ty lines.	Olic-Hall Hille					

14. If the proposed groundwater point of diversion is 300 or fewer	feet from existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the current ☐ Yes ☐ No (If no, all owners must sign thi	
<ul> <li>(b) Will the ownership interest of any owner of the currently affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign the currently affected in the currently a</li></ul>	authorized place(s) of use identified in this application be adversely is application.)
(c) If this application is not approved expeditiously, will there ☐ Yes ☐ No (If no, all owners must sign this	
	rsion, a groundwater change in point of diversion greater than 300 fee owners of the currently authorized place of use, or their duly authorize
age and the owner, the spouse of the owner, or a duly a their behalf, in regard to the water right(s) to which this contained in this application are true, correct and comp	affirmation and under penalty of perjury, that I am of lawfu uthorized agent of the owner(s) to make this application o s application pertains. I further verify that the statement lete. s, this day of Septenber_, 20
Dated at	s, this / day of Sychiatre, 20 /b.
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)  State of Kansas  County of   I hereby certify that the foregoing application was signed	(Please Print)  in my presence and sworn to before me this 22 day of
DEBBIE HOUTSMA NOTARY PUBLIC	day of
My Commission Expires My Appr. Exp. 4-34-3018	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be compleaccurate information; maps, if necessary, must be included; signatures of a the appropriate fee must be paid.	ete, all of the applicable portions of the application form must be completed will the appropriate owners' must be affixed to the application and notarized; and
Each application to change the place of use or the point of diversion forth in the schedule below: Make checks payable to: Kansas Dej  (1) Application to change a point of diversion 300 feet or le  (2) Application to change a point of diversion more than 30	HEDULE In under this section shall be accompanied by the application fee set coartment of Agriculture In under this section shall be accompanied by the application fee set coartment of Agriculture In under this section shall be accompanied by the application fee set coartment of Agriculture In under this section shall be accompanied by the application fee set coartment of Agriculture In under this section shall be accompanied by the application fee set coartment of Agriculture In under this section shall be accompanied by the application fee set coartment of Agriculture In under this section shall be accompanied by the application fee set coartment of Agriculture In under this section shall be accompanied by the application fee set coartment of Agriculture In under this section shall be accompanied by the application fee set coartment of Agriculture In under this section shall be accompanied by the application fee set coartment of Agriculture In under this section shall be accompanied by the application fee set coartment of Agriculture In under this section shall be accompanied by the application fee set coartment of Agriculture In under this section shall be accompanied by the application fee set coartment of Agriculture In under this section shall be accompanied by the application fee set coartment of Agriculture In under this section shall be accompanied by the application fee set coartment of Agriculture In under this section shall be accompanied by the application fee set coartment of Agriculture In under this section shall be accompanied by the application fee set coartment of Agriculture In under this section shall be accompanied by the application fee set coartment of Agriculture In under this section shall be accompanied by the application fee set coartment of Agriculture In under this section shall be accompanied by the application fee set coartment of Agriculture fee set

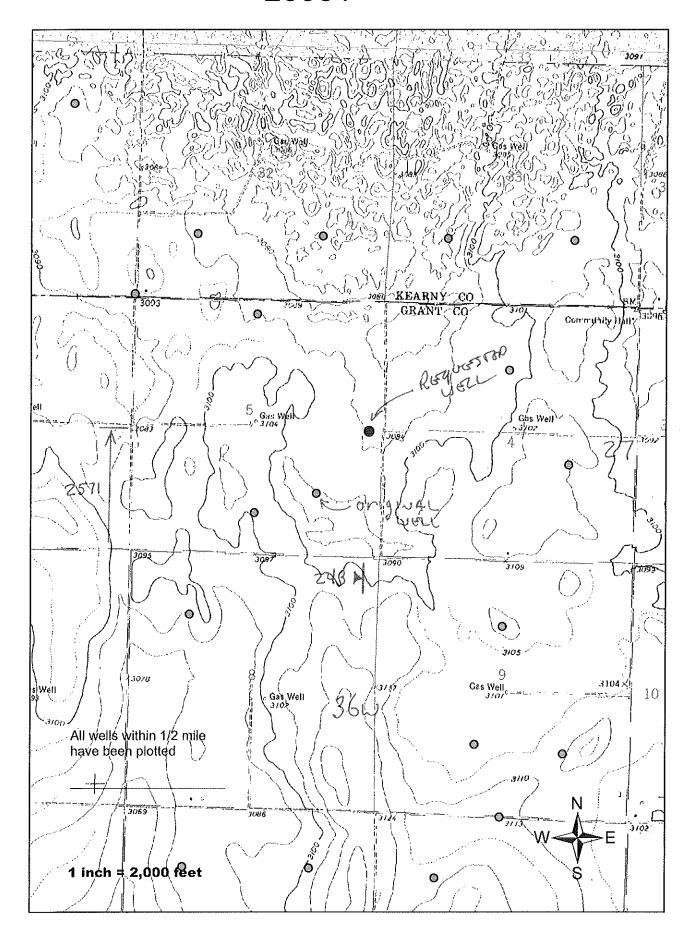
#### SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-14-3 and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, K.A.R. 5-1-1 *et.seq.* With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 20951 A change application was received on <u>SEPTEMBER</u> <u>ZZ</u>, <u>ZO</u>(<u>6</u> requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use.  $\square$  Applicable  $\square$  Not Applicable The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a 300 foot radius of the authorized point(s) of diversion. Applicable The point(s) of diversion authorized herein shall not actually be located more than \_ authorized point(s) of diversion. 

Applicable 

Not Applicable feet from the previously ☐ Applicable As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. Applicable ☐ Not Applicable The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 20 7, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year. Applicable Installation of the works for diversion of water shall be completed on or before December 31, 20 17 or within any authorized extension of time. By March 1, 20 18 the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e. ☐ Not Applicable The completed well log shall be submitted with the required notice. Applicable ☐ Not Applicable All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. Applicable Not Applicable 10. Additional Conditions are attached. ☐ Yes 11. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law. Administrative Appeal and Effective Date of Order FOR OFFICE USE ONLY APPLICATION APPROVED AND You have the right to a hearing in accordance with K.A.R. 5-14-3 SUMMARY ORDER ISSUED before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 1320 Research Park Drive, Topeka, Kansas 66502, within 15 days after the date Duly Authorized Designee of the Chief Engineer shown on the Certificate of Service attached hereto. If a hearing is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15<sup>th</sup> day after the date shown LMOMUS (Print Name): Division of Water Resources - Kansas Department of Agriculture on the Certificate of Service. 1/croben Date of Issuance: For Use by Register of Deeds State of Kansas SS County of Acknowledged before me on homas Signature: **Notary Public** Wife of JULIE JONES NOTABY My Appointment Expires December 15, 2018 My commission expires: (Notary Seal)

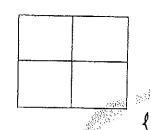
## 





To Tom Downey





Customer's Name: Syracuse Dairy

Driller's Name: Sheldon

Date: 10-14-15

Customer Address:

Test: #2

County: Grant

Quarter: SE Section: 5 Township: 27 Range:: 36 W/O #: 199

Location: GPS N 37.72876 W 101.27282

**Footage** <u>Description of Strata</u> GWL 29D NW. Corner

280.300

%	Eram	Dave	T	NW.	Corner								
70	From	Pay	To		Static water level :								
	<del> </del>			Description of Strata	Proposed well Depth:								
	0		2	TOP SOILD SAND									
	2		62	BROWN SANDY CLAY AND FINE SAND									
	62		80	SAND FINE TO MED COARSE SMALL TO MED GRAVEL									
	87		110	110 SAND FINE TO MED COARSE SAMALL GRAVEL WITH SOME CLAY STRI									
	110		160	CLAY- STICKEY	WITH SOME CLAT STRINGERS								
	160		185	SAND FINE WITH SOME CLAY STRINGERS									
	185		206	BROWN CLAY									
	206		210	SAND FINE TOO MED COARSE									
	210		221	BROWN SANDY CLAY									
25	221	23	323	SAND FINE TO MED COARSE SMALL TO MED G	ΒΑΛΛΕΙ Ε								
	323		327	CLAY BROWN SAND	MVLL								
25	327	28	355	SAND FINE TO MED COARSE SMALL TO LG GRA	del Dellien Thomas								
5	355	11.	366	SAND FINE TO MED WITH SOME CLAY	ECC DRILLED TAGGED								
10	3∲6 ∂	155	521	SAND FINE USED WATER									
	521		530	SHALE									
		21											

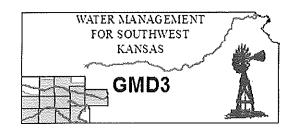
Supplies used: 1 GEL

1 PERM PLUG

**5 HOLE PLUG** 

1 SET 4-3/4 DRAG BLADES

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	<b>V</b>			



### Southwest Kansas Groundwater Management District No. 3 2009 E. Spruce Street

Garden City, Kansas 67846 (620) 275-7147 phone (620) 275-1431 fax www.gmd3.org

September 27, 2016

Thomas P. Makens Division of Water Resources 2508 N Johns Street Garden City, Kansas 67846

RECEIVED

SEP 2 7 2016

Garden City Field Office
Division of Water Resources

RE: Application for Change in Point of Diversion

Water Right, File No. 20,951

#### Dear Thomas:

We have completed a review of the application for the above referenced water right. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed distance moved and well spacing is in accordance with K.A.R. 5-23-3. It is therefore recommended that the application be approved at this time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,

Jason L. Norquest Assistant Manager



Garden City Field Office 2508 Johns Street Garden City, Kansas 67846-2804

Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Michael A. Meyer, Water Commissioner Phone: (620) 276-2901 Fax: (620) 276-9315 www.agriculture.ks.gov

Sam Brownback, Governor

September 27, 2016

Southwest Kansas Groundwater Management District No 3 409 Campus Drive, Suite 106 Garden City KS 67846

Re: Water Right file number 20951

Dear Mr. Norquest;

Syracuse Dairy has applied to relocate the well authorized by the above water right number. There are no neighboring wells within ½ mile of the requested.

We are delaying action for 15 days on the change application to allow you time to review and provide a recommendation if you feel one is warranted.

Thank you and as always feel free to call or write us at any time.

Sincerely;

Thomas P Makens

TPM:tpm enc